

COPY OF PAPERS
ORIGINALLY FILED

2-32

PATENT

CPA 2632
2700

PATENT

#26 tal
9-18-02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Bennet et al

DOCKET NO.: 8285/162

SERIAL NO.: 08/999,106

FILED: 12/29/1997

ENTITLED: System and Method for Home Automation and Security

09/2002 TL0011 00000007 08999106

Law Office of Dale B. Halling, L.L.C.
24 S. Weber St., Suite 311
Colorado Springs, CO 80903
June 4, 2002

FC:115 110.00 00
FC:990 10.00 00

Petition to Withdraw a Holding of Abandonment
(37 CFR 1.181(a))

Honorable Commissioner of Patents
United States Patent and Trademark Office
Washington, D.C. 20231

09/09/2002 TL0011 00000006 08999106

01 FC:115 710.00 00
02 FC:115 130.00 00
03 FC:115 130.00 00
04 FC:115 130.00 00
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Sir:

SEP 11 2002

Technology Center 2100

Applicant holds that the above referenced patent application is not abandoned based on the following chronology:

- 1) Notice to File Missing Parts for CPA (fees). Response due 2/8/2001.
- 2) Response filed 12/15/2000 submitting check No. 2041 in the amount of \$2340.00.
- 3) A status inquiry was made December 3, 2001. No response was received.
- 4) Notice of Abandonment was mailed to Brinks Hofer on 4/23/2002 for failure to respond to Office action dated 5/31/2001. Previous correspondence has been correctly mailed to this office.
- 5) Our office was notified by applicant of this notice on 5/10/2002.
- 6) We spoke to the examiner on 5/21/2002 to determine the content of the Office Action dated 5/31/2001. He said they did not receive payment of fees.
- 7) Check \$2340.00 has cleared the bank.
- 8) Upon review of the office file it was noted that the correspondence from the office had typos in the Title and serial number showing 09/999,106 vs. 08/999,106.
- 9) Recalculation of the fee amount indicated a deficit of \$50.00. We are enclosing a check in the amount of \$50.00 to cover the missing fee.

Adjustment date: 09/09/2002 TL0011
22/2000 ADJUST 00000065 09999106
FC:131 -110.00 00

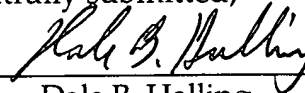
Adjustment date: 09/09/2002 TL0011
12/22/2000 ADJUST 00000065 09999106
02 FC:115 130.00 00
03 FC:115 130.00 00
04 FC:115 130.00 00
Adjustment date: 09/09/2002 TL0011
11/07/2000 ADJUST 00000013 09999106
-110.00 00

I, Dale B. Halling, declare and attest to :

- 1) The fact that the Office action dated 5/31/2001 was never received in this office.
- 2) A search of the file jacket and docket records indicate that the Office communication was not received in this office.
- 3) A copy of the records as listed above is attached hereto as documentary proof of nonreceipt of the Office Action.

Respectfully submitted,

By



Dale B. Halling

Registration No. 38,170

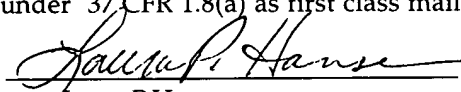
Ph (719) 447-1990 Fax (719) 447-9815

CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited on the date shown below with the United States Postal Service in an envelope addressed to the Commissioner of Patents, United States Patent and Trademark Office
Washington, DC 20231

under 37 CFR 1.8(a) as first class mail with sufficient postage

Signature of Mailer:


Laura P Hansen

Date:

6/4/2002



BC Technology
Resources, Inc.
9505 Arboretum Boulevard
Austin, TX 78759

May 10, 2002

VIA FACSIMILE
719/447-9815

Law Office of Dale B. Halling
24 S. Weber Street, Suite 311
Colorado Spring, CO 80903

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Re: U.S. Patent Application 08/999,106
"System and Method for Home Automation Security"
Your File: 8285/162
Our File: A00425

Dear Dale:

We received the attached Notice of Abandonment for the above-identified patent application this morning from Brinks Hofer Gilson & Lione. I don't have a copy of the May 31, 2001 PTO office action. Apparently you don't either since the last correspondence I have is a status inquiry dated December 3, 2001.

The Patent Office also apparently has changed the address back to Brinks Hofer Gilson & Lione.

Please follow up on this matter.

Very truly yours,

Mary E. McNeill-Smith

Mary E. McNeill-Smith

/mem

Mary E. McNeill-Smith
Manager - Intellectual Property
Phone: 512/372-5989
Fax: 512/241-5989

Joseph F. Hetz
312 321-4719



May 6, 2002

VIA FIRST CLASS MAIL

Bruce E. Stuckman, Ph.D.
SBC Technology Resources, Inc.
9505 Arboretum Blvd. - 9th Floor
Austin, TX 78759

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Technology Center 2100

Re: U.S. Patent Application Serial No. 08/999,106
"System and Method for Home Automation and Security"
Our File No. 8285/162
Your File No. A00425

BRINKS
HOFER
GILSON
& LIONE

A PROFESSIONAL CORPORATION
INTELLECTUAL PROPERTY ATTORNEYS

NBC Tower - Suite 3600
455 N. Cityfront Plaza Drive
Chicago, Illinois 60611-5599
brinkshofer.com
Fax 312-321-4299
Telephone 312-321-4200

SAN JOSE, CA
INDIANAPOLIS, IN
ANN ARBOR, MI
ARLINGTON, VA

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Dear Bruce:

Please find enclosed a copy of a Notice of Abandonment for the above-identified patent application. This application was transferred to Dale B. Halling in August 2000. We will take no action in response to this Notice unless you instruct us otherwise.

Best regards,

Joseph F. Hetz

JFH
Enclosure



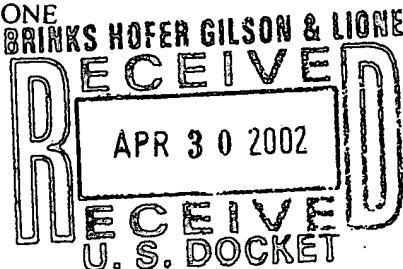
UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
08/999,106	12/29/1997	RAYMOND W. BENNETT	8285/162	3419

757 7590 04/23/2002

BRINKS HOFER GILSON & LIONE
P.O. BOX 10395
CHICAGO, IL 60610



EXAMINER

POPE, DARYL C

ART UNIT PAPER NUMBER

2632

DATE MAILED: 04/23/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

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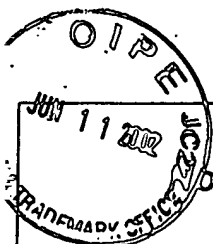
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Technology Center 2100

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SEP 11 2002



Technology Center 2100

Application No.
08/999,106

Applicant(s)

BENNETT ET AL

Examiner

DARYL C. POPE

Art Unit

2632



– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –

This application is abandoned in view of:

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1. ☒ Applicant's failure to timely file a proper reply to the Office letter mailed on May 31, 2001.

(a) ☐ A reply was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply (including a total extension of time of _____ month(s)) which expired on _____.

(b) ☐ A proposed reply was received on _____, but it does not constitute a proper reply under 37 CFR 1.113(a) to the final rejection.

(A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).

(c) ☒ No response has been received.

2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).

(a) ☐ The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance.

(b) ☐ The submitted issue fee of \$ _____ is insufficient. A balance of \$ _____ is due.

The issue fee required by 37 CFR 1.18 is \$ _____. The publication fee, if required by 37 CFR 1.18(d) is \$ _____.

(c) ☐ The issue fee and publication fee, if applicable, has not been received.

3. ☐ Applicant's failure to timely file new formal drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).

(a) ☐ Proposed new formal drawings were received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply.

(b) ☐ The proposed new formal drawings filed on _____ are not acceptable and the period for reply has expired.

(c) ☐ No proposed new formal drawings have been received.

4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.

5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.

6. ☐ The decision by the Board of Patent Appeals and Interferences rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.

7. ☐ The reason(s) below:

DARYL POPE
PRIMARY EXAMINER

DARYL C. POPE
PRIMARY EXAMINER
ART UNIT 2632

(SBC)

M 5/17/02

May 10, 2002



VIA FACSIMILE
719/447-9815

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Law Office of Dale B. Halling
24 S. Weber Street, Suite 311
Colorado Spring, CO 80903

Re: U.S. Patent Application 08/999,106
"System and Method for Home Automation Security"
Your File: 8285/162
Our File: A00425

Dear Dale:

We received the attached Notice of Abandonment for the above-identified patent application this morning from Brinks Hofer Gilson & Lione. I don't have a copy of the May 31, 2001 PTO office action. Apparently you don't either since the last correspondence I have is a status inquiry dated December 3, 2001.

The Patent Office also apparently has changed the address back to Brinks Hofer Gilson & Lione.

Please follow up on this matter.

Very truly yours,

Mary E McNeill Smith

Mary E. McNeill-Smith

/mem

Mary,
We have received your
fax. We are following up.
We never received the OA of May 31, 2001
nor did we get a reply to our Status
Inquiry. 5/10/02

Mary E. McNeill-Smith
Manager - Intellectual Property
Phone: 512/372-5989
Fax: 512/241-5989

Joseph F. Hetz
312 321-4719



May 6, 2002

VIA FIRST CLASS MAIL

Bruce E. Stuckman, Ph.D.
SBC Technology Resources, Inc.
9505 Arboretum Blvd. - 9th Floor
Austin, TX 78759

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Technology Center 2100

Re: U.S. Patent Application Serial No. 08/999,106
"System and Method for Home Automation and Security"
Our File No. 8285/162
Your File No. A00425

Dear Bruce:

Please find enclosed a copy of a Notice of Abandonment for the above-identified patent application. This application was transferred to Dale B. Halling in August 2000. We will take no action in response to this Notice unless you instruct us otherwise.

Best regards,



Joseph F. Hetz

JFH
Enclosure

BRINKS
HOFFER
GILSON
& LIONE

A PROFESSIONAL CORPORATION
INTELLECTUAL PROPERTY ATTORNEYS

NBC Tower - Suite 3600
455 N. Cityfront Plaza Drive
Chicago, Illinois 60611-5599
brinkshofer.com
Fax 312-321-4299
Telephone 312-321-4200

SAN JOSE, CA
INDIANAPOLIS, IN
ANN ARBOR, MI
ARLINGTON, VA

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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER OF PATENTS AND TRADEMARKS
 Washington, D.C. 20231
 www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
08/999,106	12/29/1997	RAYMOND W. BENNETT	8283/162	3419

757 7590 04/23/2002

BRINKS HOFER GILSON & LIONE
 P.O. BOX 10395
 CHICAGO, IL 60610

BRINKS HOFER GILSON & LIONE
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 APR 30 2002
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 U.S. DOCKET

EXAMINER

POPE, DARYL C

ART UNIT

PAPER NUMBER

2632

DATE MAILED: 04/23/2002



Please find below and/or attached an Office communication concerning this application or proceeding.

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103-4886
305-
Notice of Abandonment

Application No.

08/999,106

Applicant(s)

BENNETT ET AL

Examiner

DARYL C. POPE

Art Unit

2632

— The MAILING DATE of this communication appears on the cover sheet with the correspondence address —

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The application is abandoned in view of:

1. Applicant's failure to timely file a proper reply to the Office letter mailed on May 31, 2001.

(a) ☐ A reply was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply (including a total extension of time of _____ month(s)) which expired on _____.

(b) ☐ A proposed reply was received on _____, but it does not constitute a proper reply under 37 CFR 1.113(a) to the final rejection.

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(c) ☒ No response has been received.

2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).

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The issue fee required by 37 CFR 1.18 is \$ _____. The publication fee, if required by 37 CFR 1.18(d) is \$ _____.

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(a) ☐ Proposed new formal drawings were received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply.

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(c) ☐ No proposed new formal drawings have been received.

4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.

5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.

6. ☐ The decision by the Board of Patent Appeals and Interferences rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.

7. ☐ The reason(s) below:

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DARYL POPE
PRIMARY EXAMINER

DARYL C. POPE
PRIMARY EXAMINER
ART UNIT 2632

We did not receive OA



6/24/02 Called examiner to find
Never received response to Notice

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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Bennet et al

EXAMINER:

SERIAL NO.: 09/999,106

ART GROUP: 2632

FILED: 12/29/97

DOCKET NO.: 8285/162

ENTITLED: System and Method for Home Automation and Security

Dale B. Halling
Law Office of Dale B. Halling
24 S. Weber St., Suite 311
Colorado Springs, CO 80903
December 3, 2001

STATUS INQUIRY

Honorable Director of
Patents and Trademarks
Washington, D.C. 20231

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Dear Sir:

In the above-identified patent application, Applicants have not received any further correspondence from the Patent Office since our filing of Response to Notice of Missing Parts dated December 15, 2000.

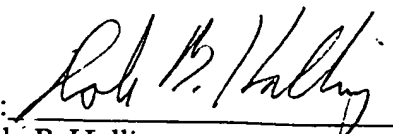
Applicants hereby inquire as to the status of the above-identified application.

Respectfully submitted,

Raymond W. Bennett

Please forward all correspondence to:

Law Office of Dale B. Halling
24 S. Weber St., Suite 311
Colorado Springs, CO 80903

By: 
Dale B. Halling
Attorney for the Applicant
Registration No: 38,170
Ph: (719) 447-1990 Fax: (719) 447-9815



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PATENT APPLICATION
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Bennet et al

EXAMINER:

SERIAL NO.: 09/999,106

ART GROUP: 2632

FILED: 12/29/97

DOCKET NO.: 8285/162

ENTITLED: System and Method for Home Automation and Security

Law Office of Dale B. Halling, LLC
24 S. Weber St., Suite 311
Colorado Springs, CO 80903
December 3, 2001

CERTIFICATE OF MAILING

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Honorable Assistant Commissioner of
Patents and Trademarks
Washington, D.C. 20231

Technology Center 2100


Sir:

I hereby certify that the above-referenced Status Inquiry has been deposited
with the United States Postal Service in a postage paid envelope addressed to:

U.S. Patent and Trademark Office
Assistant Commissioner for Patents
Washington, D.C. 20231

on 12/3/01

By:


Laura P. Hansen

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Bennett et al.

EXAMINER:

SERIAL NO.: 09/999,106

GROUP: 2632

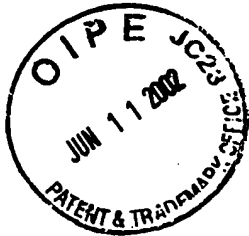
FILED: 12/29/97

CASE NO.: 8285/162

ENTITLED: Speech Enrollment Method

Law Office of Dale B. Halling
24 S. Weber St., Suite 311
Colorado Springs, CO 80903

December 15, 2000



NOTICE TO FILE MISSING PARTS

Attention: Application Branch
Honorable Director of
Patents and Trademarks
Washington, D.C. 20231

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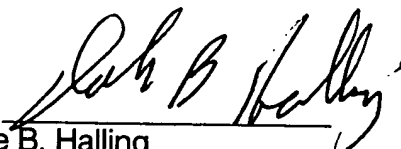
Technology Center 2100

Sir:

Transmitted herewith for filing in the above-captioned application is a check in the amount of \$2,340.00 for the filing fee and additional claims fee.

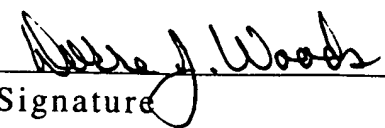
Respectfully submitted,

BY:

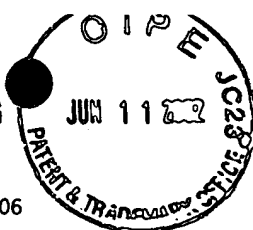

Dale B. Halling
Agent/Attorney for Applicants
Registration No. 38,170
Phone: (719) 447-1990
FAX No.: (719) 447-9815

I hereby certify that a Notice to File Missing Parts is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Director of Patents and Trademarks, Washington, D.C. 20231, on:

December 15, 2000
Date


Signature

DALE B. HALLING
ATTORNEY AT LAW
TRUST ACCOUNT
654 ROYAL OAK DRIVE
COLORADO SPRINGS, CO 80906



WELLS FARGO BANK
90 S. CASCADE
COLORADO SPRINGS, CO 80903
(719) 634-2000
23-7/1020

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2041

CHECK

PAY Two Thousand Three Hundred Forty and No/100 Dollars

TO THE
ORDER OF

DATE
12/15/00

AMOUNT
\$2,340.00

U.S. Patent & Trademark Office

Dale B. Halling
AUTHORIZED SIGNATURE

Memo: SBC Technology, 8685/162

⑈002041⑈ ⑆102000076⑆5058029618⑈

DALE B. HALLING ATTORNEY AT LAW TRUST ACCOUNT

U.S. Patent & Trademark Office 2041 12/15/00 \$2,340.00

SBC Technology, 8685/162
Account Detail:

5-3510 Missing Parts Fees \$2,340.00

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SEP 11 2002

Technology Center 2100

CHECK

2041

DALE B. HALLING ATTORNEY AT LAW TRUST ACCOUNT

U.S. Patent & Trademark Office 2041 12/15/00 \$2,340.00

SBC Technology, 8685/162
Account Detail:

5-3510 Missing Parts Fees \$2,340.00



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER FILING/RECEIPT DATE

FIRST NAMED APPLICANT

ATTY. DOCKET NO./TITLE



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SEP 11 2002

Technology Center 2100

DATE MAILED:

NOTICE TO FILE MISSING PARTS OF APPLICATION (CPA)
Filing Date Granted

The Continued Prosecution Application (CPA) request filed on 11/1/00 is entitled to a filing date under 37 CFR 1.53(d)(1). The CPA request, however, lacks the filing fee(s) and/or items indicated below.

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the fee(s), item(s), and any surcharge required below to avoid abandonment of this CPA. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

The total amount owed by applicant is the sum of items 1(a) or (b), 2, and 3 (if checked) below.

- ☒ 1. The statutory basic filing fee is:
☒ missing.
☐ insufficient.

(a) Applicant must submit \$ 1160.00 to complete the basic filing fee and the \$ 50.00 surcharge set forth in 37 CFR 1.16(e) (non-small entity), or \$ _____ to complete the basic filing fee as a small entity and the \$65.00 surcharge set forth in 37 CFR 1.16(e) and file a small entity statement under 37 CFR 1.27 claiming such status (if the prior application was entitled to small entity status and such status is still proper and desired, a new small entity statement is not required (37 CFR 1.28)).

(b) Applicant must submit \$ _____ to complete the basic filing fee as a small entity and the \$65.00 surcharge set forth in 37 CFR 1.16(e).

- ☒ 2. Additional claim fees of
\$ 540.00 (non-small entity) or \$ _____ (small entity) for 30 independent claims over 3.
\$ 1040.00 (non-small entity) or \$ _____ (small entity) for 13 claims over 20.
\$ _____ (non-small entity) or \$ _____ (small entity) for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

- ☐ 3. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).
☐ 4. The CPA request is unsigned. Applicant must file a signed duplicate or ratification of the CPA request.
☐ 5. Other: _____

A copy of this Notice MUST be returned with the reply.

Direct the reply and any questions about this Notice to:

Examining Group 2400

(703) 306-2937

09/09/2002 TLU011 00000008 08999106 50.00 00
01 FC:197
09/09/2002 TLU011 00000006 08999106 710.00 00
01 FC:131
02 FC:105
03 FC:102
04 FC:103



**UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

MS

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
-----------------	-------------	----------------------	---------------------

EXAMINER

ART UNIT	PAPER NUMBER
----------	--------------

23

DATE MAILED:

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ORIGINALLY FILED

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Technology Center 2100

Please find below and/or attached an Office communication concerning this application or proceeding.

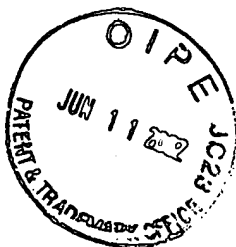
Commissioner of Patents and Trademarks



APPLICATION NUMBER FILING/RECEIPT DATE

FIRST NAMED APPLICANT

ATTY. DOCKET NO./TITLE



RECEIVED

SEP 11 2002

Technology Center 2100

COPY OF PAPERS
ORIGINALLY FILED

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Filing Date Granted

The Continued Prosecution Application (CPA) request filed on 11/1/00 is entitled to a filing date under 37 CFR 1.53(d)(1). The CPA request, however, lacks the filing fee(s) and/or items indicated below.

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the fee(s), item(s), and any surcharge required below to avoid abandonment of this CPA. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

The total amount owed by applicant is the sum of items 1(a) or (b), 2, and 3 (if checked) below.

- ☒ 1. The statutory basic filing fee is:
☐ missing.
☐ insufficient.

(a) Applicant must submit \$ 760.00 to complete the basic filing fee and the \$ 50.00 surcharge set forth in 37 CFR 1.16(e) (non-small entity), or \$ _____ to complete the basic filing fee as a small entity and the \$65.00 surcharge set forth in 37 CFR 1.16(e) and file a small entity statement under 37 CFR 1.27 claiming such status (if the prior application was entitled to small entity status and such status is still proper and desired, a new small entity statement is not required (37 CFR 1.28)).

(b) Applicant must submit \$ _____ to complete the basic filing fee as a small entity and the \$65.00 surcharge set forth in 37 CFR 1.16(e).

- ☒ 2. Additional claim fees of
\$ 540.00 (non-small entity) or \$ _____ (small entity) for 30 independent claims over 3
\$ 1120.00 (non-small entity) or \$ _____ (small entity) for 13 claims over 20.
\$ _____ (non-small entity) or \$ _____ (small entity) for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

- ☐ 3. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).
☐ 4. The CPA request is unsigned. Applicant must file a signed duplicate or ratification of the CPA request.
☐ 5. Other: _____

A copy of this Notice MUST be returned with the reply.

Direct the reply and any questions about this Notice to:

May 10 2002

Examining Group 2100

(703) 301-2137